

**PUBLIC CHAPTER NO. 232****SENATE BILL NO. 2202****By Kyle, Wilder****Substituted for: House Bill No. 2257****By Odom**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 126, relative to modular buildings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-126-302(c), is amended by deleting the last sentence.

SECTION 2. Tennessee Code Annotated, Section 68-126-303(6), is amended by deleting it in its entirety and substituting instead the following language: "Modular building unit" means a structural unit, or preassembled component unit including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building. "Modular building unit" does not apply to temporary structures used exclusively for construction purposes, nonresidential farm buildings, or ready-removables that are not modular structures.

SECTION 3. Tennessee Code Annotated, Section 68-126-303, is further amended by adding the following language as new, appropriately designated subsections:

( ) "Component" means any assembly, sub-assembly, or combination of elements for use as a part of a modular building unit, which may include the structural, electrical, mechanical, plumbing, fire protection, or other structurally integrated system(s) thereof affecting life safety.

( ) "Structure" means any building or improvement and its components, systems, fixtures, and appurtenances at the time of completion or construction;

( ) "Ready-removable" means a structure without any foundation, footings, or other support mechanisms that allows a structure to be easily relocated.

SECTION 4. Tennessee Code Annotated, Section 68-126-305(b)(3), is amended by deleting the word, "and" at the end of the subsection.

SECTION 5. Tennessee Code Annotated, Section 68-126-305(b)(4), is amended by deleting the period at the end of the subsection and substituting instead “; and”.

SECTION 6. Tennessee Code Annotated, Section 68-126-305(b), is amended by adding the following language as a new, appropriately designated subsection:

( ) Assess civil penalties not to exceed five thousand dollars (\$5,000) for each violation of this part;

SECTION 7. Tennessee Code Annotated, Section 68-126-305, is amended by adding the following language as a new, appropriately designated subsection:

( ) If a modular building is manufactured, sold, or installed in violation of this part, the commissioner may require:

(1) The manufacturer, dealer, or installer in violation of this part to provide the commissioner with as-built plans to be evaluated and approved by the commissioner for compliance with state building codes;

(2) The manufacturer, dealer, or installer in violation of this part to make available for inspection any components and concealed spaces of the structure and to repair any damages made when making the components and concealed spaces available for inspection;

(3) Inspections to be made during the re-manufacturing process and may require that concealed spaces be opened or made accessible as necessary to determine that components comply with state building codes; and

(4) The manufacturer, dealer, or installer to be responsible for all costs or expenses incurred pursuant to this subsection.

SECTION 8. For the purpose of rulemaking, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on January 1, 2008.

**PASSED: May 10, 2007**



RON RAMSEY  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 24th day of May 2007



PHIL BREDESEN, GOVERNOR